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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/982,928 | 10/22/2001 | Steven M. Knowles | 10765-015001 | 8524 |

7590 06/24/2009
STEPTOE & JOHNSON LLP
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WASHINGTON, DC 20036

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| EXAMINER |
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BOCHNA, DAVID

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| ART UNIT | PAPER NUMBER |
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PAPER

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| 09982928 | 10/22/01 | KNOWLES, STEVEN M. | 10765-015001 |

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EXAMINER

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| ART UNIT | PAPER |
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Commissioner for Patents

This letter is in response to the order returning undocketed appeal to the Examiner mailed on 5/26/09. The order stated that the Examiner must consider the paper entitled "Response to Notification of Non-compliant Appeal Brief" filed on 3/26/07. However, the Examiner wishes to state that the "Response to Notification of Non-compliant Appeal Brief" was considered at the time the Examiner's Answer was written. This is evidenced by paragraph 5 of the Examiner's Answer and that the Examiner's Answer was not written until after the "Response to the Notification of Non-compliant Appeal Brief" was filed. The 3/26/07 amendment was deemed to satisfy the requirements of the "Summary of Claimed Subject Matter" section of the brief listed in the Notification of Non-Compliant Appeal Brief sent out on 3/16/07.

/David E. Bochna/
Primary Examiner, Art Unit 3679